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Attorneys for Defendants

BABYBUS CO., LTD.

BABYBUS (FUJIAN) NETWORK TECHNOLOGY CO., LTD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MOONBUG ENTERTAINMENT LIMITED
and TREASURE STUDIO, INC.,

Plaintiffs,

v.

BABYBUS CO., LTD and BABYBUS
(FUJIAN) NETWORK TECHNOLOGY
CO., LTD,

Defendant.

Case No: 3:21-cv-06536-EMC

**DECLARATION OF NAIYONG YAN
FILED IN SUPPORT OF BABYBUS
DEFENDANTS' MOTION TO SEAL**

Complaint Filed: August 24, 2021
Trial: April 3, 2023

1 I, Naiyong Yan, declare as follows:

2 1. I am Naiyong Yan, Head of the Video Business Department for Defendant Baby Bus
3 Co., Ltd., the parent company of Defendant BabyBus (Fujian) Network Technology Co., Ltd
4 (collectively “BabyBus”) in the above-captioned matter. I submit this declaration in support of
5 BabyBus’ Motion to Seal. I have personal knowledge of the facts set forth in this declaration and, if
6 called to testify as a witness, could and would do so competently.

7 2. As Head of the Video Business Department, I am familiar with BabyBus’ Super JoJo
8 content, development process, marketplace analysis, viewership, and revenue information. In this
9 role I am also familiar with documents related with Super JoJo content, development process,
10 marketplace analysis, viewership, and revenue information that have been produced by BabyBus in
11 this litigation, as well as documents that have been designated by BabyBus as “Highly Confidential
12 – Attorneys Eyes Only” under the protective order in this case.

13 3. I have reviewed the portions of the October 25, 2022, Expert Report of Fran Krause
14 (the “Krause Report”) that BabyBus requests to be filed under seal. These portions contain
15 information and documents reflecting competitive marketplace intelligence documents and excerpts
16 that reveal the contents of BabyBus’ planning and development process for videos for its Super JoJo
17 product. The competitive marketplace intelligence documents concern analysis that was done by
18 BabyBus employees or by contractors at the direction of BabyBus, and is non-public marketplace
19 research into BabyBus’ competitors in children’s entertainment. These documents include internal,
20 non-public analysis of Moonbug’s CoComelon project, as well as internal, non-public analysis of
21 other competitors that are not parties in this case. Additionally, the documents concerning the
22 planning and development process for Super JoJo videos and content are internal, non-public
23 documents that detail the creative development for Super JoJo videos.

24 4. Both of the categories of documents referenced, excerpted, and discussed in the
25 Krause Report are highly sensitive documents that detail BabyBus’ analysis of its direct competitors
26 in the children’s entertainment marketplace as well as the non-public process by which BabyBus
27 develops its Super JoJo videos and content. As a general matter these documents are not publicly
28 disclosed, and are kept internal to the teams within BabyBus that engage in marketplace research

1 and the development and continued production of Super JoJo. These documents and references to
2 them are considered by BabyBus to be highly sensitive and were designated “Highly Confidential –
3 Attorneys Eyes Only” under the protective order because public disclosure this information offers
4 BabyBus’ competitors insight into its analysis and development process that are not otherwise
5 public.

6 5. I have reviewed the portions of the October 25, 2022, Expert Report of Jennifer
7 Vanderhart (the “Vanderhart Report”) that BabyBus requests to be filed under seal. These portions
8 contain highly confidential and non-public information regarding BabyBus’ financial records,
9 including revenues for the Super JoJo program, as well as non-public viewership, revenue and other
10 commercially sensitive data from YouTube. The documents referenced and excerpted in the
11 Vanderhart report contain both records of revenues by source, as well as analysis that has been
12 generated by BabyBus for its internal use. Additionally, information regarding BabyBus’
13 viewership, revenue, and commercially sensitive data from YouTube includes detailed analysis of
14 Super JoJo using YouTube analytic tools, and this analysis and reports are not available publicly.

15 6. The financial records and viewership referenced, excerpted, and discussed in the
16 Vanderhart Report are highly sensitive documents that detail revenue and detailed analytics about
17 its viewership. As a general matter these documents are not publicly disclosed, and are kept
18 internal to the teams within BabyBus that are involved with the creation of Super JoJo and
19 BabyBus’ financial record keeping. These documents and references to them are considered by
20 BabyBus to be highly sensitive and were designated “Highly Confidential – Attorneys Eyes Only”
21 under the protective order because public disclosure of this information offers BabyBus’
22 competitors insight into non-public financial records.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 DATED: November 16, 2021

4 By Naiyong Yan
Naiyong Yan

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Sam Stake, attest that concurrence in the filing of this Declaration of Naiyong Yan Filed in Support of BabyBus Defendants' Motion to Seal has been obtained from the signatory of this declaration. I declare under penalty of perjury that the foregoing is true and correct. Executed on November 16, 2022.

/s/ Sam Stake

Sam Stake